



INDUSTRY CIRCULAR

**DEPARTMENT OF
THE TREASURY**

Bureau of Alcohol, Tobacco and Firearms

Washington, D.C. 20226

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LABELING REQUIREMENTS FOR METRIC STANDARDS OF FILL

Proprietors of Bonded Wine Cellars, Tax Paid
Wine Bottling Houses, Distilled Spirits Plants,
Importers, and Others Concerned:

Purpose. This circular is to inform industry members that ATF Ruling 77-21 dealing with the labeling of products bottled in metric standards of fill will be published in the ATF Bulletin.

The Ruling will read substantially as follows:

The Bureau of Alcohol, Tobacco and Firearms has been asked to clarify the labeling requirements regarding statements of net contents for wine and distilled spirits bottles conforming with the metric standards of fill.

With regard to wine, a statement of net contents must appear on a brand label or a separate label affixed in immediate proximity thereto on the same side of the container in compliance with 27 CFR 4.32(b). 27 CFR 4.37(b) requires the equivalent volume in United States measure to be shown on all wine bottled in metric standards of fill prior to January 1, 1979, as follows: 3 liters (101 fl. oz.), 1.5 liters (50.7 fl. oz.), 1 liter (33.8 fl. oz.), 750 milliliters (25.4 fl. oz.), 375 milliliters (12.7 fl. oz.), 187 milliliters (6.3 fl. oz.) and 100 milliliters (3.4 fl. oz.).

With regard to distilled spirits bottled in containers conforming to the standards of fill, a statement of net contents must appear on a brand or back label in compliance with 27 CFR 5.32(b). 27 CFR 5.38a(b) requires the equivalent volume in the United States measure to be shown on all distilled spirits bottled in metric standards of fill prior to January 1, 1980, as follows: 1.75 liters (59.2 fl. oz.), 1.00 liter (33.8 fl. oz.), 750 milliliters (25.4 fl. oz.), 500 milliliters (16.9 fl. oz.), 200 milliliters (6.8 fl. oz.), 50 milliliters (1.7 fl. oz.).

For both wine and distilled spirits, the statement of net contents need not appear on labels if it is legibly blown, etched, sandblasted, marked by underglaze coloring, or otherwise permanently marked by any method approved by the Director on the side, front, or back of the container in an unobscured location, under 27 CFR 4.37(d) and 27 CFR 5.38a, respectively.

27 CFR 4.38(f) and 5.33(f) permit the appearance on labels of information other than mandatory information provided it does not conflict with or qualify in any manner statements required under the regulations. 27 CFR 4.38a(c) and 5.41(c) allow on individual coverings, cartons or other containers of readily removable bottles used for sale at retail (other than a shipping container) the display of any information which is not in conflict with the label on the bottle contained within.

27 CFR 4.39(a)(1) and 5.42(a)(1) prohibit the appearance on containers of wine and distilled spirits, or any label on such containers, or any individual covering, carton, or other wrapper of such containers, or any written, printed graphic, or other matter accompanying such containers, of any statement which is likely to mislead or deceive the consumer.

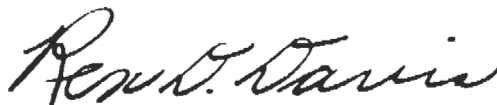
The Bureau of Alcohol, Tobacco and Firearms wishes to inform all concerned of statements consistent with the regulations and additional information permissible relative to the metric standards of fill.

Held, the statement of net contents for the metric standards of fill must be stated exactly as specified in 27 CFR 4.37(b) and 5.38a(b) with the United States measure equivalent appearing in parentheses in direct conjunction with the metric statement. Since the regulations show "ml" as an abbreviation for milliliter, that abbreviation may be used in lieu of milliliter, where required. The abbreviation of the word "liter" and the variations "Half Liter," "3/4 Liter," et al., are not permitted since such representations could cause consumer confusion and create a misleading impression as prohibited under 27 CFR 4.39(a)(1) and 5.42(a)(1).

The following statements are permissible as additional information under 27 CFR 4.38(f) and 5.33(f):

1. If the labels or bottles bear the full net content statement in both the metric and United States measures, the metric measure may also be stated alone on any label affixed to that bottle.
2. If the labels bear the metric and United States measures as required, the metric measure alone or the metric and the United States measures may be blown, etched, sand-blasted, marked by any method approved by the Director on the side, front or back of the container.
3. Informative statements comparing a metric size to the former standard of fill size which will be replaced by it are permissible. (Examples of permissible statements would include: "This one liter bottle contains 1.8 fl. oz. more than a quart," and "This 3 liter bottle contains 57.8% more than 1/2 gallon").
4. The terms "Magnum" or "Metric Magnum" may be used in reference to wine when the statement of net contents "1.5 liters (50.7 fl. oz.)" appears on the labels or in the glass.
5. Individual coverings, cartons or other containers of readily removable bottles used for sale at retail (other than shipping container) may display a statement of metric measure without the United States measure.

Inquiries. Inquiries concerning this circular should refer to its number and be addressed to the Assistant Director (Regulatory Enforcement), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226.



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Director